

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JOHN NEUBERT, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

LEHIGH UNIVERSITY,

Defendant.

Case No. 5:24-cv-00831-JFL

**PLAINTIFF'S UNOPPOSED MOTION TO PRELIMINARILY APPROVE CLASS
ACTION SETTLEMENT, CERTIFY THE CLASS,
APPOINT CLASS COUNSEL, APPROVE PROPOSED
CLASS NOTICE, AND SCHEDULE A FINAL APPROVAL HEARING**

PLEASE TAKE NOTICE THAT, upon the Declarations of Nicholas A. Colella and Anthony M. Alesandro and the accompanying exhibits and memorandum of law, and upon all prior proceedings, pleadings, and filings in the above-captioned action, Named Plaintiff John Neubert moves for an Order under Federal Rule of Civil Procedure 23:

- (1) Preliminarily approving the proposed Settlement on behalf of the Settlement Class Members according to the terms of the Settlement Agreement;
- (2) Provisionally certifying, for purposes of the Settlement only, the following Settlement Class:

All Lehigh University students—inclusive of undergraduate, graduate, and doctoral—who satisfied their payment obligations for the Spring Semester 2020 (tuition and/or mandatory fees, defined as Student Activity Fees and/or Technology Fees) who were enrolled in at least one in-person, on-campus class.

Excluded from the Settlement Class is: (i) any person who withdrew from Lehigh on or before March 12, 2020, (ii) all students who received full Lehigh-funded scholarships for the Spring 2020 semester; and/or (iii) Defendant; Defendant's officers, directors,

agents, trustees, parents, children, corporations, trustees, representatives, employees, principals, servants, partners, joint venturers, and/or entities controlled by Defendant; and/or Defendant's heirs, successors, assigns, or other persons or entities related to or affiliated with Defendant and/or Defendant's officers.

- (3) Preliminarily appointing Named Plaintiff John Neubert as Settlement Class Representative;
- (4) Preliminarily appointing Nicholas A. Colella of Lynch Carpenter, LLP, and Michael A. Tompkins and Anthony M. Alesandro of Leeds Brown Law, P.C. as Class Counsel to act on behalf of the Settlement Class and the Settlement Class Representative with respect to the Settlement;
- (5) Approving the Parties' proposed settlement procedure, including approving the Parties' selection of RG/2 Claims Administration LLC as Settlement Administrator and approving the Parties' proposed schedule;
- (6) Entering the proposed Order Preliminarily Approving the Proposed Settlement and Provisionally Certifying the Proposed Settlement Class, attached as Exhibit A to the Settlement Agreement, which is attached as Exhibit 1 to the Declaration of Nicholas A. Colella; and
- (7) Granting such other and further relief as may be just and appropriate.

Dated: January 10, 2025

Respectfully submitted,

/s/ Nicholas A. Colella
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that, on January 10, 2025, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Eastern District of Pennsylvania by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Nicholas A. Colella
Nicholas A. Colella